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09/336,036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHLIEVERT ET AL. Examiner: J. HINES
Serial No.: 09/336,036 Group Art Unit: 1645
Filed: JUNE 18, 1999 Docket No.: 600.347US11
Title: MUTANTS OF STREPTOCOCCAL TOXIN C AND METHODS OF USE

CERTIFICATE UNDER 37 CFR 1.10:

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By:

Name:

Omesh Singh
OMESH SINGH

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed May 17, 2001, Applicants request consideration of the following remarks.

REMARKS

Applicants have received and reviewed the Office Action dated May 17, 2001. By way of response, Applicants offer the following remarks. Claims 1, 3-10, and 17-19 are pending. Applicants appreciate and acknowledge the Examiner's withdrawal of the rejections of the claims under 35 U.S.C. § 112, first and second paragraph, 35 U.S.C. § 102(b), and 35 U.S.C. § 103(a). For the reasons given below, Applicants respectfully submit the claims are in condition for allowance, and notification to that effect is earnestly solicited.

35 USC § 112, First Paragraph Rejections

The Examiner rejected claims 1, 3-10, and 17-19 based on 35 USC § 112, first paragraph alleging that the specification does not reasonably provide enablement for a Streptococcal